

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-34 are pending in the present application. Claims 1, 22, 27, 31, and 34 are the independent claims.

Claims 22, 31, 33, and 34 have been amended. No new matter is believed to have been added.

The Office Action objected to the drawings because FIGS. 1 and 2 did not include a legend such as "Prior Art" and because the drawings include various reference numerals not mentioned in the Specification. In response to the former objection, Applicants have, by separate paper filed concurrently herewith, submitted a replacement drawing sheet in which FIGS. 1 and 2 have been amended to include the legend "Prior Art." Regarding the later objection, Applicants have amended paragraph [0005] of the Specification to mention the items identified by the subject reference numerals. Favorable consideration is respectfully requested.

The Office Action objected to the Specification for a minor informality. By the present Amendment, Applicants have amended paragraph [0009] of the Specification in view of the Examiner's comments. Favorable consideration is respectfully requested.

The Office Action objected to claim 33 on formal grounds. By the present Amendment, Applicants have amended claim 33 in view of the Examiner's comments. Favorable consideration is respectfully requested.

Claims 22-25, 31, and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,969,832 (Nakanishi et al.) in view of U.S. Patent No. 6,547,400 (Yokoyama). Claims 1-4, 6, 9-29, and 34 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 25-27 and 42 of co-pending Application No. 10/620,810 in view of Yokoyama. Claim 7 stands provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 25-27 and 42 of co-pending Application No. 10/620,810 in view of Yokoyama, and further in view of U.S. Patent No. 5,022,750 (Flasck). Claims 1-6, and 8134 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13 of co-pending Application No. 10/644,933 in view of either Yokoyama and Yokoyama further in view of Flasck. All rejections

are respectfully traversed.

Independent claim 22 now recites, inter alia, ... scrolling color beams by rotating about a single axis an optical element

Independent claim 31 now recites, inter alia, a scrolling unit ... rotatable about a single axis.

Independent claim 34 now recites, inter alia, a rotatable scrolling unit which separates the emitted light beams into a plurality of color beams and, when rotated about a single axis, scrolls the color beams so as to simulate linear movement of the scrolling unit.

However, Applicants respectfully submit that neither of Nakanishi et al. nor Yokoyama either alone or in combination teaches or suggests at least the aforementioned features of independent claims 22, 31, and 34. Thus, without conceding the propriety of combining these documents in the manner asserted in the Office Action, the combination of Nakanishi et al. and Yokoyama is likewise deficient.

Nakanishi et al. relates to a projection image display device and teaches first and second hologram devices (4 and 5) each having three different holograms in respective areas A, B, and C and A', B', and C'. The areas A, B, C, A', B', and C' are moved by rotating a rotary mechanism (Nakanishi et al., Col. 9, lines 30-42; FIGS. 1 ad 3A). However, as FIGS 1 and 3A show, the first and second hologram devices travel about two axes. Thus, Nakanishi et al. does not meet at least the aforementioned features of independent claims 22, 31, and 34.

Yokoyama relates to a light source device, an optical device, and a liquid-crystal display device and is cited against independent claims 2, 31, and 34 for its alleged teaching of a plurality of light emitters. Applicants respectfully submit that Yokoyama adds nothing to the teachings of Nakanishi et al. that would remedy the aforementioned deficiency.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 22, 31, and 34 under 35 U.S.C. § 103 are respectfully requested.

Regarding the provisional obviousness-type double patenting rejections, by separate paper filed concurrently herewith, Applicants have filed a terminal disclaimer disclaiming any patent term in excess of co-pending application nos. 10/644, 933 and 10/620,810.

Accordingly, favorable reconsideration and withdrawal of the provisional rejections of claims 1-4, 6-29, 31, and 34 for obviousness-type double patenting are respectfully requested.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested. All rejections are respectfully traversed.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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